

SENATE CHAMBER,  
AUSTIN, TEXAS, Tuesday, February 7, 1871.

Senate met pursuant to adjournment; Hon. Don Campbell, President, in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Flanagan, the reading of the journal was dispensed with.

Under direction of the President, the Secretary carried to the House for concurrence Senate bill No. 39, "An act supplementary to an act to regulate the disposal of the public lands of the State of Texas, approved August 12, A. D. 1870."

Also, Senate bill No. 43, "An act to incorporate the Gonzales Agricultural and Industrial Association."

Also, Senate bill No. 91, "Prescribing the times of holding the courts in the Seventh Judicial District."

Also, Senate bill No. 101, to be entitled "An act to amend the first section of an act supplemental to an act entitled 'An act defining the office and duties of notaries public,' passed May 13, 1846, approved March 5, 1863."

Also, informing the House the Senate had passed House bill No. 226, "An act to define the county lines of Comal county."

### PETITIONS AND MEMORIALS.

By Senator Fountain: "Petition from the citizens of Frio county, asking for the organization of said county, and for the location of the county seat."

Read and referred to Committee on Counties and County Boundaries.

By Senator Dillard: "Memorial of the merchants of Rusk, Cherokee county, Texas."

Read and referred to Committee on Finance.

### REPORTS OF STANDING COMMITTEES.

Reports of Committee on Judiciary:

COMMITTEE ROOM,  
AUSTIN, February 6, 1871.

Hon. DON CAMPBELL,  
President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 47, "to incorporate Lamar Female Seminary," have instructed me to report the same back, and ask its reference to the Committee on Education.

Respectfully,

A. J. FOUNTAIN,  
Chairman.

On motion of Senator Fountain, the rules were suspended, report read and adopted, and Senate bill No. 47 was referred to the Committee on Education.

COMMITTEE ROOM,  
AUSTIN, February 6, 1871.

Hon. DON CAMPBELL,  
President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred Senate bills Nos. 33, "To incorporate the Jefferson Insurance Company;" 72, "To incorporate the Hebrew Benevolent Association of Jefferson, Texas;" 85, "To incorporate San Antonio Hook and Ladder Company No. 1;" and 99, "To incorporate the Bank of Cleburne," instruct me to report the same back and ask their reference to the Committee on State Affairs.

Respectfully,

A. J. FOUNTAIN,  
Chairman.

On motion of Senator Fountain, rules were suspended, and report of committee adopted, and Senate bills Nos. 33, 72, 85 and 99 were referred to the Committee on State Affairs.

COMMITTEE ROOM,  
AUSTIN, February 6, 1871.

Hon. DON CAMPBELL,  
President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 28, "To provide for the employment of private clerks by the judges of the Supreme Court," instruct me to report the same back and recommend its passage.

Respectfully,

A. J. FOUNTAIN,  
Chairman.

Report read and laid over under the rules.

## Report of Committee on State Affairs :

COMMITTEE ROOM,  
AUSTIN, February 6, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on State Affairs, to whom was referred Senate bill No. 107, entitled "An act to incorporate the San Antonio Shooting Company," have duly considered the same and recommend its passage.

S. W. FORD,  
Chairman.

Report read, and laid over under the rules.

## Report of Committee on Private Land Claims :

COMMITTEE ROOM,  
AUSTIN, February 7, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Private Land Claims, to whom was referred Senate bill No. 98, "An act to be entitled 'An act authorizing and requiring the Commissioner of the General Land Office to issue patent or patents on bounty warrant No. 831;'"

Also, Senate bill No. 106, "An act to be entitled 'An act for the relief of W. H. Dangerfield,'" have had the same under careful consideration, and I am instructed to report them back with the recommendation that they do pass.

G. T. RUBY,  
Chairman.

Report read and laid over under the rules.

## Report of Committee on Roads, Bridges and Ferries :

COMMITTEE ROOM,  
AUSTIN, February 7, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 97, entitled "An act authorizing Thomas C. Reedy to erect a toll bridge over the Cowleach fork of Sabine River, in Hunt county, Texas," also, Senate bill No. 113, "An act to authorize the erection of a toll bridge over Rush creek, in Navarro county, Texas," also, Senate bill No. 114, "An act to authorize the erection of a toll bridge over Richland creek, in Na-

varro county, Texas," respectfully report they have had the same under consideration, and recommend that they do pass.

J. G. BELL,  
Chairman.

Report read, and laid over under the rules.

Report of Committee on Engrossed Bills:

COMMITTEE ROOM,  
AUSTIN, February 7, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having carefully examined and compared Senate bill No. 119, "to amend an act entitled 'An act prescribing the times of holding the district courts in the several judicial districts in the State, approved August 10, 1870,'" find the same to be correctly engrossed.

G. T. RUBY,  
E. L. DOHONEY,

Report read and received.

Under the direction of the President, the Secretary carried Senate bill No. 119 to the House for concurrence.

## BILLS AND RESOLUTIONS.

Senator Pyle offered the following resolution, which was adopted:

*Resolved*, That the Adjutant General be respectfully requested to communicate to this body all the facts and circumstances connected with his late official visit to the county of Hill, giving the number of troops so used by him, the amount of money collected by him, from whom collected, and how disposed of, and by what authority or color of law these proceedings were had.

By Senator Pyle: A bill (Senate bill No. 122) entitled "An act to incorporate the Excelsior Bridge and Turnpike Company."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Dohoney: A bill (Senate bill No. 123) entitled "An act in relation to the Atlantic and Pacific Railroad Company."

Read first time, and referred to Committee on Internal Improvements.

By Senator Flanagan: A bill (Senate bill No. 124) to be entitled "An act to change the name of Emma K. Stone to Emma F. Kennedy."

Read first time and referred to Committee on Judiciary.

By Senator Parsons: A bill (Senate bill No. 125) to be entitled

"An act to promote the steam navigation of the Colorado river, in Travis county."

Read first time, and referred to Committee on Internal Improvements.

By Senator Ford: A bill Senate bill No. 126 "An act to incorporate the town of Marlin, Falls county, Texas."

Read first time and referred to Committee on State Affairs.

By Senator Dillard: A bill (Senate bill No. 127) entitled "An act to incorporate the Neches Navigation Company."

Read first time and referred to Committee on Internal Improvements.

### GENERAL FILE.

On motion of Senator Pyle the rules were suspended to take from file Senate bill No. 14 "An act to promote ready access to the mountain wood lands near the capital, by means of ferries and bridges."

Read second time.

Senator Bowers moved to substitute House bill No. 2, "An act to promote ready access to the mountain wood lands near the capital, by means of ferries and bridges," for Senate bill No. 14.

Carried.

Message from the House, by Chief Clerk, transmitting House bill No. 136 "An act to authorize the County Court of Hays county to levy and collect a special tax for the completion of a court house."

Also, House bill No. 227 "An act appropriating one thousand dollars for the purpose of taking evidence, and for other services, in the suit against the Treasurer of the State of Texas, to establish heirship to property of John C. Clark, deceased."

On motion of Senator Cole the rules were further suspended and House bill No. 2 read third time.

The yeas and nays were called for and passed by the following vote.

Yeas—Baker, Bell, Bowers, Braughton, Clark, Cole, Dillard, Dohoney, Douglass, Evans, Flanagan, Ford, Fountain, Gaines, Hertzberg, Hillebrandt, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Mr. President—28.

The President announced the following communication from the Comptroller of Public Accounts:

AUSTIN, TEXAS, February 4, 1871.

Lieut. Gov. DON CAMPBELL,

President Texas Senate,

Austin, Texas:

SIR: In accordance with and conformity to a resolution passed by

your honorable body, requesting me to furnish the Senate with a statement showing the number and pay of clerks employed at its last session, I respectfully transmit the enclosed statement and call special attention to the recapitulation.

I have the honor to be,

Very respectfully,

Your obedient servant,

A. BLEDSOE,

Comptroller.

Communication and accompanying documents read.

Senator Cole moved that the letter of the Comptroller be spread on the journals, and the accompanying papers be referred to Committee to Examine Comptroller and Treasurer's Accounts, which motion was adopted,

[Senator Flanagan in the chair.]

On motion of Senator Ruby, the rules were suspended to take from file Senate bill No. 29, "An act to incorporate the Texas Cotton Spinning and Manufacturing Company."

Read second time.

Report of the committee recommending that section six be stricken out was adopted.

On motion of Senator Ruby, Senate bill No. 29 passed to engrossment as amended.

On motion of Senator Ruby, the rules were further suspended and Senate bill No. 29 read third time and passed.

On motion of Senator Bell, the rules were suspended and House bill No. 227, "An act appropriating one thousand dollars for the purpose of taking evidence and for other services in the suit against the Treasurer of the State of Texas to establish heirship to property of John C. Clark, deceased," read first time.

On motion of Senator Bell, the rules were suspended and House bill No. 227 read second time and passed to its third reading.

On motion of Senator Bell, the rules were further suspended and House bill No. 227 read third time, and passed by the following vote:

Yeas—Baker, Bell, Clark, Cole, Dillard, Dohoney, Douglass, Flanagan, Ford, Gaines, Hertzberg, Hildebrandt, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor—21.

Nays—Bowers, Braughton, Evans, Latimer, Shannon—5.

### UNFINISHED BUSINESS.

Senator Douglass called up his resolution "recognizing the President, Secretary, Sergeant-at-Arms and Doorkeeper as civil officers, etc."

On motion of Senator Douglass, it was referred to the Committee on Privileges and Elections.

[President Campbell in the chair.]

Message from the House, informing the Senate that the Speaker had appointed on the joint committee "to take into consideration the division of the State," the following gentlemen: Messrs. Slaughter, Camp, Patten, Zoeller, Shoemaker, Sinclair, R. Williams, S. S. Weaver, Simmons, Booty and Posey.

Senator Dohoney called up the report of Committee on Contingent Expenses relative to newspapers for the Senate.

On motion of Senator Dohoney it was made special order for 12 M. to-morrow.

Senator Dohoney called up Senate joint resolution No. 10 "in reference to the defense of a certain suit."

On motion of Senator Dohoney it passed to engrossment.

Senator Flanagan called up Senate joint resolution No. 13, "appropriating one thousand and eighty-five dollars for the payment of a portrait of General Sam Houston."

On motion of Senator Flanagan, the Senate by unanimous consent suspended the rules, and Senate joint resolution No. 13 read second time and passed to engrossment.

On motion of Senator Baker the rules were further suspended, and Senate joint resolution No. 13 was read the third time, and passed by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Braughton, Clark, Cole, Dillard, Dohoney, Douglass, Evans, Flanagan, Ford, Fountain, Gaines, Hertzberg, Hillebrandt, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—28.

Unanimous.

Senator Mills offered the following resolution, which was adopted.

*Resolved*, That the thanks of the Senate be, and they are hereby tendered to Captain A. Faulkner for the very satisfactory manner he has executed the resolution of this body, authorizing him to purchase a portrait of General Sam Houston, to be hung in this chamber.

By leave, Senator Ford presented the following report of the Committee on State Affairs:

COMMITTEE ROOM,  
AUSTIN, February 7, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred Senate joint resolution No. 8, "to authorize and require the Governor to lease the State Penitentiary, together with the labor of the

convicts therein," have duly considered the same and recommend its passage, with the following amendments, to be section four in said joint resolution: "In the event a new State or States shall be created out of any portion of the territory of this State, that said new State or States may be entitled to their distributive share of the convicts in said penitentiary, in such manner as that a supply of convicts, skilled in the manufacture of cotton and woolen goods, shall be retained by the lessee or lessees."

S. W. FORD,  
Chairman.

Report read and laid over under the rules.

On motion of Senator Ruby the Senate adjourned to 11, A. M., to-morrow.

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